

EXHIBIT 5

From: Michael Kwun <michael@eff.org>
Subject: **WIPO Case No. D2008-1234; unionsquarepartnership.org, unionsquarepartnership.com**
Date: November 17, 2008 11:48:16 AM PST
To: abuse@dreamhost.com, abuse-replies@dreamhost.com, jeffc@dreamhost.com, Toby Butterfield <tbutterfield@cdas.com>, Matthew Kaplan <mkaplan@cdas.com>



To Union Square Partnership, Inc. (via its attorneys) and DreamHost:

I am writing on behalf of Savitri Durkee, registrant of the domain names listed above and Respondent in the UDRP proceeding also referenced above.

Please be advised that tomorrow Ms. Durkee will be filing counterclaims in the pending case Union Square Partnership, Inc. v. Savitri Durkee, EDNY Case No. 08-3101. By those counterclaims, Ms. Durkee will, among other things, seek a declaration that the registration and use of the above-referenced domain names was not and is not unlawful, and an injunction preventing the transfer to Union Square Partnership, Inc. of the above-referenced domain names.

Pursuant to paragraph 4(k) of the Uniform Domain Name Dispute Resolution Policy, I will send you a further email tomorrow including a copy of the filed Answer and Counterclaims, and understand that per paragraph 4(k) DreamHost "will take no further action, until we receive (i) evidence satisfactory to us of a resolution between the parties; (ii) evidence satisfactory to us that your lawsuit has been dismissed or withdrawn; or (iii) a copy of an order from such court dismissing your lawsuit or ordering that you do not have the right to continue to use your domain name."

If you have any questions or concerns about this matter, please do not hesitate to contact me.

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